

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

In re:

MICHAEL SCHWARTZMAN
LYNN SCHWARTZMAN,
Debtors

Chapter 7
Case No. 11-19667-JNF

MOTION OF UNITED STATES TRUSTEE TO REOPEN CASE AND
TO REAPPOINT CHAPTER 7 TRUSTEE

Pursuant to 28 U.S.C. 586 and 11 U.S.C. 307 the United States Trustee moves the Court to enter an order reopening the Chapter 7 case of Michael Schwartzman and Lynn Schwartzman (“Debtors”) and reappointing Mark G. DeGiacomo, Esq. as trustee (“Trustee”). In support, the United States Trustee says:

I.
FACTS

1. On October 12, 2011, the Debtors filed a voluntary Chapter 7 petition.
2. Mark G. DeGiacomo, Esq. was appointed as Trustee.
3. On November 10, 2011, the Trustee conducted the first meeting of creditors (“Meeting”). The Meeting was continued to December 5, 2011, January 10, 2012 and February 7, 2012 then adjourned on the record on March 14, 2012.
4. On March 15, 2012, the Trustee filed a Report of No Distribution.
5. The Court entered an order discharging the Debtors on May 10, 2012.
6. The Court entered an order closing the Debtors’ Chapter 7 Case on May 31, 2012.

7. Upon information and belief, the Office of the Treasurer and Receiver General of Massachusetts has notified the Trustee of unclaimed insurance proceeds in the amount of \$390,000 concerning the Debtors' residence.

II.
ARGUMENT

8. The United States Trustee requests that the case be reopened and Mark G. DeGiacomo, Esq. be reappointed as Trustee to allow him to fully investigate the facts and circumstances surrounding the above-referenced matter, to protect any interests of creditors and insure efficient administration of any estate assets.

WHEREFORE, the United States Trustee prays that the Court enter an order reopening the case and reappointing Mark G. DeGiacomo, Esq. as Trustee; and granting him such other relief to which he may be entitled.

Respectfully submitted,

William K. Harrington

United States Trustee

By:/s/ Paula R. C. Bachtell

Paula R. C. Bachtell, BBO# 564155

Office of the U.S. Trustee

Department of Justice

J.W. McCormack Post Office & Courthouse

5 Post Office Square, Suite 1000

Boston, MA 02109-3934

(617) 788-0406

(617) 565-6368

Paula.bachtell@usdoj.gov

Dated: February 1, 2018

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CERTIFICATE OF SERVICE

The undersigned certifies that on February 1, 2018, the UST's Motion to reopen case and to reappoint chapter 7 trustee was served upon those individuals receiving service by the U.S. Bankruptcy Court's CM/ECF database including the Debtor's Counsel, and upon the debtor via U.S. Mail, postage prepaid.

/s/ Paula R. C. Bachtell
Paula R. C. Bachtell

Michael Schwartzman
200 Edgemere Road
Lynn, MA 01904

Lynn Schwartzman
200 Edgemere Road
Lynn, MA 01904